

Remarks

Favorable consideration of the application is respectfully requested.

Claims 2-5, 7-15, 17-20, 22-25, 27-34 are currently active in this case. Claims 2-5, 7-12, 13-15, 17, 22, 31-32 have been amended and Claims 1 and 16 have been cancelled by way of the present amendment. Each amended Claim is supported by the specification and claims as originally submitted and no new matter has been added.

In the outstanding Official Action, Claims 1, 2, 4, 7 and 10 – 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Scott* (US Patent No. 5,859,842), in view of *Pyle* (US Patent No. 5,418,452); Claims 3, 5, 30 and 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Scott*, in view of *Pyle*, and in further view of *Edison* (US Patent No. 6,411,824); Claims 8 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Scott* in view of *Pyle*, and in view of *Lam*, (US Patent No. 6,701,141); Claims 16, 17, 20, 22, 25 and 27 – 29 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Scott*, in view of *McCaslin*, (US Patent No. 5,198,992) and Claims 23 and 24 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Scott*, in view of *McCaslin*, and in further view of *Lam*. Claims 18 and 19 stand allowed and Claims 31-33 were objected to, but were identified as containing allowable subject matter.

Applicants appreciatively acknowledge the Examiner's allowance of Claims 18 and 19, and the identification of allowable subject matter in Claims 31-33.

Claims 31 and 32 have been re-written to be in independent form including all the limitations of each claim's corresponding base and any intervening claims. Therefore, based on the identification of allowable subject matter, Applicants

respectfully submit that Claims 31 and 32 are patentable over the cited art references.

Further, each of Claims 2-5, and 7-15 have either been amended to depend directly or otherwise ultimately depend upon Claim 31.

Claim 22 has been amended as follows:

**22. (Currently Amended) A method for  
~~receiving a~~ of communication signal at with a wireless  
communication device comprising at least two  
antennas, comprising:**

***receiving a communication signal using at least  
two antennas;***

***sampling the communication signal from each of  
the at least two antennas via Band Pass Filters (BPFs)  
coupled to each antenna to produce a sampled signal  
using a switch;***

***down converting the sampled signal to generate  
a down converted signal;***

***generating a digitized signal from the down  
converted signal;***

***de-multiplexing the digitized signal to produce at  
least two digital signals each corresponding the***

***communication signal as received by the at least two antennas; and***

***preparing an output signal based on the at least two digital signals***

***wherein the step of sampling comprises sampling at a frequency substantially equal to at least twice a Nyquist required sampling rate for a bandwidth of the communication signal and twice a rejection bandwidth of the BPFs.***

However, the cited references fail to teach or suggest similar subject matter.

In particular, Applicants respectfully note that none of the cited references teach or suggest the claimed sampling or an equivalent thereof. Accordingly, Applicants respectfully submit that Claim 22 is patentable over the cited references.

Based on the patentability of independent Claims 18, 19, 22, 31, and 32, Applicants further respectfully submit that dependent claims 2-5, 7-15, 17, 20, 23-25 and 27-30 are also patentable.

If the Examiner disagrees with any of the foregoing, Applicants respectfully request that the Examiner call the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually satisfactory claim language.

Consequently, no further issues are believed to be outstanding, and it is respectfully submitted that this case is in condition for allowance.

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or § 1.17 to **Account No. 50-2603**, referencing **Attorney Docket No. 353600.01901**.

Respectfully submitted,

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Dated: 20 Feb '06

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Dated: 2/20/2006

  
Mary Kelley